

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN JIM KEANE**, on February 10, 2005 at 8:00 A.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Jim Keane, Chairman (D)  
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)  
Rep. Joe McKenney, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Bob Bergren (D)  
Rep. Tim Dowell (D)  
Rep. Kevin T. Furey (D)  
Rep. Dave Gallik (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Harry Klock (R)  
Rep. Scott Mendenhall (R)  
Rep. Mike Milburn (R)  
Rep. Don Roberts (R)  
Rep. Dan Villa (D)  
Rep. Jonathan Windy Boy (D)

##### **Members Excused:**

Rep. Wayne Stahl (R)

##### **Members Absent:** None.

**Staff Present:** Bart Campbell, Legislative Branch  
Kyanne Kelly, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HJ 14, 2/2/2005; HB 508, 2/2/2005;  
HB 557, 2/2/2005; HB 461, 2/2/2005  
Executive Action: HJ 14, HB 508, HB 557, HB 422, HB  
382, HB 467, HB 527

**HEARING ON HJ 14**

**Opening Statement by Sponsor:**

REP. KEVIN FUREY (D), HD 91, opened the hearing on HJ 14, Urge congress to pass employee freedom of choice act.

00:02:02

[EXHIBIT](#)(buh33a01)

**Proponents' Testimony:**

00:06:52 Darrell Holzer, AFL-CIO

00:10:06 Gene Fenderson, Montana Council of Laborers

00:17:07 Jed Fitch, Montana Trial Lawyers Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:18:09

**Closing by Sponsor:**

00:19:30

**HEARING ON HB 508**

**Opening Statement by Sponsor:**

REP. GORDON HENDRICK (R), HD 14, opened the hearing on HB 508, Clarify application of Voluntary Employee Benefit Association.

00:23:56

[EXHIBIT](#)(buh33a02)

**Proponents' Testimony:**

00:25:27 Randy Morris, Department of Administration

00:27:22 REP. ALAN OLSON, HD 45, ROUNDUP

**Opponents' Testimony:** None

**Informational Testimony:**None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:28:33

**HEARING ON HB 557**

**Opening Statement by Sponsor:**

REP. EDWARD BUTCHER (R), HD 29, opened the hearing on HB 557,  
Restrict insurance required by lender.

00:29:36

**Proponents' Testimony:**

00:31:55 Dwight Easton, Farmers Insurance

**EXHIBIT**(buh33a03)

00:36:35 Roger McGlenn, Independent Insurance Agents of  
Montana

00:38:32 Greg Van Horrsen, State Farm Insurance Company

**Opponents' Testimony:** None

**Informational Testimony:**

00:38:58 Annie Goodwin, Commissioner of Banking

**Questions from Committee Members and Responses:**

00:39:19

**Closing by Sponsor:**

00:55:11

**HEARING ON HB 461**

**Opening Statement by Sponsor:**

REP. ELSIE ARNTZEN (R), HD 53, opened the hearing on HB 461,  
Licensure of athletic trainers.

01:09:26

**Proponents' Testimony:**

01:11:31 Patrick Hughes, Montana State University

**EXHIBIT**(buh33a04)

01:14:42 Tom Koto, National Athletic Trainers Association

01:20:30 Scott Richter, University of Montana

01:25:59 Manuel Garza, Helena High School

01:30:25 Dr. David Shenton, Self

01:36:59 Steve Yeakel, Montana Athletic Association

**EXHIBIT**(buh33a05)

01:37:35 Connie Summers, Associated Students of Billings  
**EXHIBIT(buh33a06)**  
01:38:03 Chuck Carnoft, Retired Trainer  
01:38:20 John Townsend, Student MSU  
01:38:38 Jodie Smith, Beartooth Hospital  
01:38:54 Roy Strong, Montana Orthopedic and Sports Medicine  
01:39:05 Suzette Nynas, Rocky Mountain College  
01:39:26 JC Weida, University of Montana  
01:39:47 Dennis Murphy, University of Montana  
01:40:07 Chris Heard, St James Healthcare  
01:40:27 Brian Coble, Carroll College  
01:40:43 Justin Hunt, University of Montana  
01:41:00 Rob Higgs, Montana State University  
01:41:13 Jamie McCafferty, Montana State University  
01:41:28 Travis Swick, Montana State University  
01:41:50 Janet Trethewey, MSU Northern  
01:42:15 Mark Meredith, Bozeman High School  
01:42:34 Mike Diede, Billings

**Opponents' Testimony:**

01:43:03 Joe Smith, Montana Physical Therapy Association  
**EXHIBIT(buh33a07)**  
01:48:03 Gary Lusin, Physical Therapist  
**EXHIBIT(buh33a08)**  
01:51:34 Beth Ikeda, University of Montana Professor  
**EXHIBIT(buh33a09)**  
01:55:26 Lisa Grossman, Physical Therapist  
01:58:46 Jim McLean, Physical Therapist  
**EXHIBIT(buh33a10)**  
02:00:12 Mona Jamison, Montana Physical Therapy Association  
**EXHIBIT(buh33a11)**  
02:05:23 Richard Smith, Physical Therapist from Missoula  
02:07:07 Clark Hansen, Physical Therapist  
02:07:31 Susan Jurovich, Billings  
02:07:47 Patricia Mangan, Physical Therapist  
02:08:08 Louis Molen, Physical Therapist from Great Falls  
02:08:41 George Wood, Montana Self Insurers Association  
02:08:58 Nancy Butler, State Fund Insurance

**Informational Testimony:**

02:09:14 Lance Melton, Montana School Boards Association  
**EXHIBIT(buh33a12)**  
02:10:56 Jeannie Worsect, Department of Labor and Industry

**Questions from Committee Members and Responses:**

02:11:20

**Closing by Sponsor:**

02:25:38

EXECUTIVE ACTION ON HJ 14

Motion: REP. VILLA moved that HJ 14 DO PASS.

Discussion:

02:46:01

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 508

Motion: REP. ARNTZEN moved that HB 508 DO PASS.

Discussion:

02:54:06

Vote: Motion carried 11-7 by roll call vote with REPS. DOWELL, FUREY, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting no. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 557

Motion: REP. ARNTZEN moved that HB 557 DO PASS.

Discussion:

02:57:58

Vote: Motion failed 9-9 by roll call vote with REPS. ARNTZEN, HEINERT, JONES, KLOCK, MCKENNEY, MENDENHALL, MILBURN, ROBERTS, and STAHL voting aye. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 422

Motion: REP. GALLIK moved that HB 422 DO PASS.

Motion: REP. GALLIK moved that HB 422 BE AMENDED.

Discussion:

03:05:31

[EXHIBIT](#)(buh33a13)

Vote: Motion carried unanimously by voice vote. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that HB 422 DO PASS AS AMENDED.

Discussion:

03:12:31

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

REP. ROBERTS re-entered the room

REP. STAHL entered the room

EXECUTIVE ACTION ON HB 382

Motion: REP. GALVIN-HALCRO moved that HB 382 DO PASS.

Discussion:

03:25:20

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REPS. DOWELL, JONES, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 467

Motion: REP. VILLA moved that HB 467 DO PASS.

Discussion:

03:37:32

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REPS. DOWELL, JONES, WINDY BOY voted by proxy.

REP. JONES entered the room

EXECUTIVE ACTION ON HB 527

Motion: REP. MENDENHALL moved that HB 527 DO PASS.

Discussion:

03:44:39

REP. MENDENHALL withdrew his motion

**ADJOURNMENT**

Adjournment: 12:00 P.M.

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REP. JIM KEANE, Chairman

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KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

**EXHIBIT ([buh33aad0.TIF](#))**